

**TOWN OF NEEDHAM  
CONSERVATION COMMISSION  
MEETING MINUTES  
Thursday, January 24, 2008**

LOCATION: Needham Public Library, Community Room

ATTENDING: Lisa Standley, Carl Shapiro, Sharon Soltzberg, Janet Bernardo, Dawn Stolfi Stalenhoef, Kristen Phelps (Agent)

GUESTS: Nathan Collins, George Mihov, Patty Carey, Woody Stalter, Nick Savieri, Scott Goddard, Marianne Connaughton, Marjorie Golden, Woody Stalter, Peter Heinemann

L. Standley opened the meeting at 7:30 p.m.

**MINUTES**

**Motion to approve the minutes of December 27, 2007 (as modified) by Carl Shapiro, seconded by Dawn Stolfi Stalenhoef, approved 5-0-0.**

**PUBLIC HEARINGS**

**380 DEDHAM AVENUE; DeFazio Field (DEP File # 234-522) – Notice of Intent**

L. Standley opened the continued public hearing at 7:45 p.m. Nathan Collins and George Mihov from Gale Associates were present on behalf of the applicant. N. Collins reviewed the information they submitted in response to the Commission's questions raised at the last meeting as well as the drainage design questions submitted separately. He explained that the proposed field lights and foundations had been removed from the plan and would be filed separately following review by the Zoning Board of Appeals. The applicant would, however, like to install the underground infrastructure (wiring) in order to avoid the need to dig up the fields after construction. N. Collins stated that an Operations and Maintenance Plan, in narrative and plan form, had been submitted and the plans had been revised to show erosion controls and grading around the flared end section. The Commission had asked that the applicant make an effort to minimize impacts within the 25-foot no-disturb areas adjacent to wetland E and wetland B as well as for information about the type of vegetation found within these areas. N. Collins stated that the plans were revised to eliminate all grading within the 25-foot buffer zone to wetland E. One double trunk oak tree (just outside of the 25-foot no-disturb area) will need to be removed. Similarly, the proposed grading adjacent to wetland B has been eliminated from the 25-foot no disturb area. To achieve this change, a 120-foot segmented block retaining wall with a maximum height of 2 feet will be installed (within existing field area). As the applicant is no longer proposing to remove vegetation within the 25-foot no-disturb area, Gale Associates did not inventory the vegetation in this area. N. Collins stated that they were unable to make any determination about the vernal pool status of wetland E until the spring and asked that the Commission consider conditioning the project such that no work would be allowed in this area until the status of the pool was addressed. He then addressed the Commission's request for a sediment and erosion control plan, stating that the requirement to prepare a Stormwater Pollution Prevention Plan (as required under NPDES) would be assigned to the contractor.

L. Standley asked N. Collins to make three additional changes to the plan: [1] delete from sheet 1 the clouded area referencing removal of existing pipe (not covered in this NOI); [2] include a note that excess materials will be removed from site; and [3] correct proposed grading such that it terminates a minimum of one (1) foot from the erosion control line. J. Bernardo reviewed her concerns with the

drainage design. N. Collins stated that all of the requested pipe size changes would be made with the exception of the 15" pipe discharging to wetland C which would require wetlands alterations to accomplish. J. Bernardo asked for clarification about the time of concentration, noting that is seemed high at 932 minutes. N. Collins explained how the construction of synthetic turf fields leads to this high curve number. C. Shapiro asked how flooding on the field closest to Dedham Avenue was being addressed. N. Collins stated that groundwater elevation under this field was estimated at approximately 3" below grade. The grade of this field will be increased by 2 feet, and subsurface drains will be installed to remove water from the field area.

Woody Stalter, abutter at 435 Dedham Avenue, asked Gale Associates to explain where the water (particularly from field closest to Dedham Avenue) will go and to assure him that it would not increase the amount of water discharging to Alder Brook. N. Collins explained that under post-construction conditions, water will take longer to get to groundwater and into the "runoff" system than in the existing condition. He added that the proposed project will not affect flooding of Alder Brook.

Peter Heinemann, abutter at 39 Coulter Park, expressed concern about the applicant's request to install lighting infrastructure, stating that denying or modifying the lighting request will be more difficult if it is in place. L. Standley stated that the applicant would be required to submit a new Notice of Intent when and if lighting is proposed and all impact from such a proposal would be evaluated under a new application.

The Commission agreed that no further information was needed. The applicant agreed to a continuance to allow for the submission of revised plans as requested and in light of the fact that the Commission will not meet for three weeks. **Motion to continue the public hearing for DEP File #234-522 to February 14, 2008 at 7:45 p.m. by Sharon Soltzberg, seconded by Janet Bernardo, approved 5-0-0.**

#### **77 BRIDLE TRAIL (DEP File # 234-523) – Notice of Intent**

L. Standley opened the public hearing at 8:30 p.m. Scott Goddard of Carr Research was present on behalf of the applicant. He reviewed existing site conditions, noting that the four acre parcel was largely covered by wetlands. He then explained the proposed project which involves constructing a pool to the north of the existing house with an associated retaining wall just outside of the 25-foot no-disturb area. S. Goddard stated that the application included a request for a waiver as work was proposed within the 50-foot buffer in an area that was naturally vegetated.

L. Standley asked whether there was an alternative location for the proposed project. S. Goddard replied that the wetlands continued to the rear and left of the house. L. Standley stated that the wetland line (which terminates just beyond the proposed pool area) should be extended. The Commission requested further information with respect to alternatives including (1) front and side yard zoning setbacks; (2) structure setbacks; (3) alternative locations on site for proposed pool; and (4) alternative pool sizing/configuration. L. Standley noted that the proposed replication was not shown on the plan. S. Goddard reviewed the replication area to the rear of the house which had been disturbed by the previous owner of the property. He stated that the replication area would be protected with a fence following completion of planting.

The Commission agreed that they would like to schedule a site walk. S. Goddard agreed to obtain the information requested by the Commission and to speak with the property owner about modifying the size of the pool. **Motion to continue the public hearing for DEP File # 234-523 to February 14, 2008 at 8:00 p.m. by Sharon Soltzberg, seconded by Janet Bernardo, approved 5-0-0.**

### **13 & 21 HIGHLAND CIRCLE (DEP File #234-524) – Notice of Intent**

L. Standley opened the continued public hearing at 8:50 p.m. Scott Goddard of Carr Research was present on behalf of the applicant. He reviewed the revised plans noting that the 100-year flood plain elevation line had been clarified and that there was no filling of Bordering Land Subject to Flooding. He added that the proposed water quality swale had been modified per the Commission's comments so that it is now located a minimum of one (1) foot from the haybale line and varies in depth from 6 to 8 inches. S. Goddard noted that the swale would be constructed within the 25-foot no-disturb zone. He asked if the Commission would consider waiving the \$1000 fee for work requiring a waiver as the will result in an improvement to existing conditions. L. Standley stated that because the swale is a discretionary measure that will improve the resource area, she is inclined to waive the \$1000 fee.

**Motion to approve the applicant's request for a fee waiver for work within the 25-foot no-disturb zone by Janet Bernardo, seconded by Carl Shapiro, approved 5-0-0. Motion to close the public hearing for DEP File #234-524 by Janet Bernardo, seconded by Carl Shapiro, approved 5-0-0.**

### **68 BURR DRIVE – Request for Determination of Applicability**

L. Standley opened the public hearing at 9:00 p.m. The property owner's representative, Nick Savieri, was present on her behalf. He the proposed project which involves constructing a retaining wall with a maximum height of 13 feet and backfilling to create a level rear yard. He reviewed the site plan which shows the wall just beyond 100-foot buffer zone. The estimated edge of wetlands was based on Mass GIS. Mr. Savieri stated that he had reviewed the work area in the field with K. Phelps and that the 10-foot buffer easement shown on the plan was determined to be a minimum of 85 feet from the bordering vegetated wetland. He added that erosion controls would be installed and that no trees would be removed. **Motion to close the public hearing by Carl Shapiro, seconded by Janet Bernardo, approved 5-0-0. Motion to issue a negative Determination of Applicability by Carl Shapiro, seconded by Janet Bernardo, approved 5-0-0.**

## **COMMISSION ACTIONS**

### **810 SOUTH STREET (DEP File #234-331) – Request for Certificate of Compliance**

K. Phelps confirmed that the plan showing the resource areas and the permanent markers (approved at last meeting) had been recorded at the Registry of Deeds in accordance with the Order of Conditions. **Motion to issue a Certificate of Compliance for DEP File # 234-331 by Janet Bernardo, seconded by Carl Shapiro, approved 5-0-0.**

### **170 NEHOIDEN STREET (DEP File # 234-461) – Request for Extension**

Property owners John and Barbara Fitzgerald submitted a request for a one-year extension of their Order of Conditions to construct a single-family house at 170 Nehoiden Street. The Commission recently issued an amended Order allowing a slightly larger home farther from the Rosemary Brook. **Motion to issue a one-year extension for DEP File # 234-461 by Janet Bernardo, seconded by Sharon Soltzberg, approved 5-0-0.**

### **SABRINA LAKE (DEP File #234-242) – Request for Extension**

Gerald Smith of Aquatic Control Technologies requested a three-year extension to the Order of Conditions permitting chemical control of algae and invasive species in Sabrina Lake. The original Order of Conditions was issued in 1994. L. Standley noted that under the bylaw regulations, an Order of Conditions can only be extended once. The Commission agreed that the applicant should be required to file a new Notice of Intent for future work on Sabrina Lake. **Motion to deny the Request for Extension for DEP File # 234-242 by Carl Shapiro, seconded by Janet Bernardo, approved 5-0-0.**

**OTHER BUSINESS**

**TRAILS COMMITTEE – Discussion**

L. Standley provided an update on the activities of the Trails Committee noting that a complete draft should be ready for distribution to Town Boards and Committees in March and that a public hearing to present the plan will likely be held in April. The Committee completed a 5-year implementation schedule at their last meeting. L. Standley added that the Conservation Commission will need to start thinking about revising the Ridge Hill Ranger job description to focus on trail activities. K. Phelps will schedule for next meeting.

Next Meeting: Thursday, January 24, 2008 at the Library Community Room

Respectfully submitted,

Kristen Phelps